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FOR EAP/RSA, G/TIP, EAP/IET

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TAGS: [PHUM](#) [PGOV](#) [ELAB](#) [KWMN](#) [SMIG](#) [ID](#)  
SUBJECT: INDONESIA'S INTERIM ASSESSMENT FOR TRAFFICKING IN  
PERSONS SPECIAL WATCHLIST COUNTRIES

REF: A. STATE 178111- INSTRUCTIONS  
[1](#)B. 06 JAKARTA 2849- 2006 INDONESIA TIP REPORT  
[1](#)C. 05 JAKARTA 12001- 2005 CHILD LABOR REPORT

[1](#)1. (U) Embassy Jakarta provides the following interim assessment of targeted actions by Indonesia on trafficking in persons (TIP) since the June release of the 2006 TIP report, as requested in ref A.

#### Anti-Trafficking Legislation

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[1](#)2. (SBU) A comprehensive anti-trafficking bill is in the final stages of consideration by Parliament. Provided that some important details can be ironed out, the government and informed NGO observers are cautiously optimistic that the bill will pass in early 2007. Meanwhile, local governments in East Java and elsewhere have passed their own anti-trafficking legislation.

#### Criminal Investigations, Prosecutions and Convictions

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[1](#)3. (SBU) A. Police Investigations: The Indonesian National Police trafficking unit in mid-October reported the following 2006 data on investigations: 90 trafficking suspects involving 437 victims, compared with 82 suspects and 143 victims for 12 months in 2005. National Police have submitted 23 cases to prosecutors and are still investigating 24, compared with 12 cases submitted in 2005.

[1](#)B. Prosecutions: The Attorney General's Office (AGO) is currently prosecuting 24 trafficking cases (this figure does not include cases handled by local prosecutors for which we have no statistics). We documented 30 prosecutions nationwide in 2005 based on monitoring of media reports; this figure included local prosecutions. The AGO provided no statistics in 2005 but has just begun to collect some 2006 statistics. The AGO's Transnational Crime Task Force in October 2006 provided a detailed list of 10 trafficking cases the task force is pursuing since it started operating in July, these 10 cases representing nearly half of the task force's 21 cases, the remainder being terrorism cases.

[1](#)C. Convictions: We documented 18 convictions as of November 2006, based on the following two sources: International Organization for Migration (IOM), working with local NGOs, assisted 82 victims to take legal action leading to 16 convictions; secondly, an NGO in Medan, Pusaka Indonesia, tracked two cases that led to conviction. These 18 convictions resulted in an average sentence of 4 years. This compares with 15 convictions we documented for the 12 months of 2005, with an average sentence of 27 months. (Our 2004 and 2005 conviction data was based on a different methodology of following media reports and calling police). Passage of the

comprehensive TIP law would improve data collection since it would put all trafficking cases under the same legal prohibition.

#### Law Enforcement Against Labor Exploitation Trafficking

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14. (SBU) Progress this year includes cooperation by Indonesian embassies and consulates in recipient countries who work with IOM to restore travel documents and bring Indonesian victims home. Malaysian authorities inform IOM when victims are being deported at border points so that IOM and local partner NGOs can meet victims at border crossings and escort them to recovery hospitals and rehabilitation centers, preventing them from being re trafficked. GOI provides facilities for outpatient victim treatment, assists in reintegration, and pays for about a third of the cost of hospital treatment for IOM-assisted victims. IOM has rescued 1500 victims since May 2005. Rescued victims are treated at police hospitals where police interview victims in order to pursue investigations both domestically and abroad. Unfortunately, an MOU between Indonesia and Malaysia on migrant workers protects the rights of Malaysian employers to the detriment of Indonesian workers. The Ministry of Manpower has done little to enforce existing labor laws that would protect workers against internal and external trafficking, allowing some employment agencies to traffic workers through debt bondage. However, some unlicensed migrant worker holding centers have been raided and victims rescued. The manpower ministry also signed an MOU with Bank Rakyat Indonesia to provide private credit assistance totaling over USD 22 million for poor migrant workers so that they do not fall into debt bondage. The Minister of Women's Empowerment held a workshop on debt bondage in September to

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raise awareness and shed more light on the problem.

#### Combating Traffick-Related Corruption

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15. (SBU) The new Director General of Immigration Basyir Ahmad Barmawi, who took office in September 2006, is a former high ranking police officer who has a good reputation for integrity and reportedly wants to clean up corruption and fight trafficking. He told international NGOs that he has been instructed by the both the Justice Minister and the President to clean up rampant corruption among immigration officials. One result is that two senior immigration officials working near a trafficking transit point are being investigated by police for complicity in trafficking by issuing false passports; another immigration official committed suicide this year when being investigated; and a local government official in a trafficking transit area is being held by police for issuing false documents. The Anti-Corruption Court in September sentenced a former Indonesian consul general in Penang, Malaysia, to 20 months in jail for charging illegal fees to process immigration documents. The national chief of police is also known to be tough on corruption and trafficking. This is evidenced in North Sumatra, where the provincial police chief was chosen in part to stop trafficking, achieving some early success. In Riau islands, the provincial police chief is reportedly cleaning up prostitution. While this type of commitment has yet to trickle very far into the bureaucracy, President Yudhoyono's anti-corruption stance is making inroads. Still, corruption among immigration officials, police, military, prosecutors, and manpower officials -- and their complicity in trafficking -- remains a major impediment.

#### Addressing Internal Trafficking

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16. (SBU) There is extensive internal trafficking primarily from rural to urban areas for commercial sexual exploitation

and for other forced labor, especially involuntary domestic servitude. Poverty, high unemployment and lack of education fuel internal trafficking. Many trafficking cases go unnoticed because unlicensed or crooked employment agents seek victims directly. Forged identification documents (either fake or with false biodata) makes finding and rescuing trafficking victims very difficult. There are no reliable figures on the number of persons, including children, who are trafficked internally, but there is continued acceptance of children being employed as domestic workers. There is a lack of awareness and concern about the problem of forced domestic servitude and efforts to address this problem are in their infancy. On the positive side, programs by Indonesian and international NGOs are reaching out to local Muslim leaders, educators and community groups to educate young people, their families and the community about trafficking. Some programs are reaching the hidden population of child domestic workers. There is a large grassroots NGO effort to raise awareness and articles on the plight of domestic servants and child labor appear regularly in the media.

#### Other Significant Developments

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17. (SBU) The GOI budget includes a new line item of nearly USD 4.8 million in 2006 for anti-trafficking programs. Training of law enforcement officials greatly increased this year, with USG and other international support: 70 religious judges (58 percent of sharia judges) in Aceh are being trained in adjudicating trafficking cases; the entire 60-member Supreme Court attended a one-day seminar on trafficking at the request of the chief justice; 450 new prosecutors (of the nation's 6,000 prosecutors) attended intensive anti-trafficking training last summer, with training curriculum now in place for future courses at the AGO's Training Center; 150 police and NGO representatives were trained in joint anti-trafficking classes in East Java; prosecutors from the newly formed national anti-trafficking task force and North Sumatra prosecutors, about 60 prosecutors in total, were trained in anti-trafficking; 60 prosecutors and investigators who will work with international law enforcement targeting foreign pedophiles who exploit Indonesian children received specialized training from DOJ and the French Ministry of Interior; and the AGO's Transnational Crime Task Force has started a series of training programs for local prosecutors on TIP and other issues.

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18. (SBU) A detailed manual on how trafficking can be prosecuted under existing law is now used as part of all police training, with 20,000 copies distributed nationwide. A 12-person trafficking police unit has been formed at the national level and DOJ is working with the INP to expand this unit to hundreds of officers; in addition, 40-50 police trained in trafficking were recently assigned to train police nationwide. An integrated effort to rescue, treat and reintegrate victims into the community is being carried out nationally and at the local levels. Local task forces are focusing local government resources and building links with NGOs to fight trafficking. For example, in both North Sumatra and East Java, two important hubs for international and domestic trafficking, a large alliance of government and NGO leaders is successfully organizing programs to help victims reintegrate into society and avoid being re trafficked, and at the same time conducting extensive outreach programs into the poor, rural communities where many victims originate.

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